

House File 851 - Enrolled

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HOUSE FILE 851

AN ACT

RELATING TO EXPENDITURE APPROVAL REQUIREMENTS APPLICABLE TO
THE PURCHASE OF TELECOMMUNICATIONS EQUIPMENT OR SERVICES BY
THE IOWA COMMUNICATIONS NETWORK.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 8D.3, subsection 3, paragraph f, Code
2007, is amended to read as follows:

f. Include in the commission's annual report related to
the network the actual income and expenses for the network for
the preceding fiscal year and estimates for income and
expenses for the network for the two-year fiscal period that
includes the fiscal year during which the report is submitted.
The report shall include the amount of any general fund
appropriations to be requested, any recommendations of the
commission related to changes in the system, and other items
as deemed appropriate by the commission. The report shall
also include a list of contracts in excess of one million
dollars entered into by the commission during the preceding
fiscal year, including any contract entered into pursuant to
section 8D.11 or 8D.13 or any other authority of the
commission.

Sec. 2. Section 8D.11, subsection 1, Code 2007, is amended
to read as follows:

1. a. The commission may purchase, lease, and improve
property, equipment, and services for telecommunications for
public and private agencies and may dispose of property and
equipment when not necessary for its purposes. ~~However, the~~
~~The commission shall not may~~ enter into a contract for the
purchase, lease, or improvement of property, equipment, or
services for telecommunications pursuant to this subsection in
an amount not greater than ~~one million dollars~~ the contract
limitation amount without prior authorization by a
constitutional majority of each house of the general assembly,
~~or~~ approval by the legislative council if the general assembly
is not in session, or the approval of the executive council as
provided pursuant to paragraph "b". A contract entered into
under this subsection for an amount exceeding the contract
limitation amount shall require prior authorization or
approval by the general assembly, the legislative council, or
the executive council as provided in this subsection. The
commission shall not issue any bonding or other long-term
financing arrangements as defined in section 12.30, subsection
1, paragraph "b". Real or personal property to be purchased
by the commission through the use of a financing agreement
shall be done in accordance with the provisions of section
12.28, provided, however, that the commission ~~shall not may~~
purchase property, equipment, or services for
telecommunications pursuant to ~~this subsection~~ a financing
agreement in an amount not greater than ~~one million dollars~~
the contract limitation amount without prior authorization by
a constitutional majority of each house of the general
assembly, ~~or~~ approval by the legislative council if the
general assembly is not in session, or the approval of the
executive council as provided pursuant to paragraph "b". A
contract entered into under this subsection for an amount
exceeding the contract limitation amount shall require prior
authorization or approval by the general assembly, the
legislative council, or the executive council as provided in
this subsection.

b. Approval by the executive council as provided under
paragraph "a" shall only be permitted if the contract for
which the commission is seeking approval is necessary as the
result of circumstances constituting a natural disaster or a
threat to homeland security.

c. For purposes of this subsection, "contract limitation
amount" means two million dollars. However, beginning July 1,
2008, and on each succeeding July 1, the director shall adjust
the contract limitation amount to be applicable for the
twelve-month period commencing on September 1 of the year in

3 4 which the adjustment is made. The new contract limitation
3 5 amount shall be published annually as a notice in the Iowa
3 6 administrative bulletin prior to September 1. The adjusted
3 7 contract limitation amount shall be calculated by applying the
3 8 percentage change in the consumer price index for all urban
3 9 consumers for the most recent available twelve-month period
3 10 published in the federal register by the United States
3 11 department of labor, bureau of labor statistics, to the
3 12 existing contract limitation amount as an increase or
3 13 decrease, rounded to the nearest dollar. The calculation and
3 14 publication of the contract limitation amount by the director
3 15 are exempt from the provisions of chapter 17A.

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PATRICK J. MURPHY
Speaker of the House

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JOHN P. KIBBIE
President of the Senate

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3 27 I hereby certify that this bill originated in the House and
3 28 is known as House File 851, Eighty-second General Assembly.

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MARK BRANDSGARD
Chief Clerk of the House

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3 34 Approved _____, 2007

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4 3 CHESTER J. CULVER

4 4 Governor